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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,539	09/14/1999	PETER PALESE	7682-048	7591

7590 03/21/2003

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EXAMINER

MCKELVEY, TERRY ALAN

ART UNIT PAPER NUMBER

1636

DATE MAILED: 03/21/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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Commissioner of Patents and Trademarks

Although the applicant's response (filed 1/2/03) to the communication mailed 8/8/02 appears to be complete, it was determined that the applicant's response filed 6/19/01 was not fully responsive for another reason, as shown below. The examiner apologizes for not finding and communicating the problem in an earlier communication.

The reply filed on 6/19/01 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the claims were improperly amended because the marked-up copy of the claims does not properly show the changes to the claims that are shown in the clean copy of the claims. For examples: Claim 35 is shown as adding "proteins" to the claim in the marked-up copy of the claim, but the clean copy of the claim recites "protein". Claim 38 recites "proteins" in the marked-up copy of the claims (not amended), but the clean copy of the claim recites "protein". Claim 40 recites "strain" (not amended) in the marked-up copy, but the clean copy recites "strand". The applicant must review the entire amendment and correctly amend all of the previously amended claims that were improperly amended. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Certain papers related to this application may be submitted to Art Unit 1636 by facsimile transmission. The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). The official fax telephone numbers for the Group are (703) 308-4242 and (703) 305-3014. NOTE: If Applicant does submit a paper by fax, the original signed copy should be retained by applicant or applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers in the Office. Any inquiry concerning rejections or other major issues in this communication or earlier communications from the examiner should be directed to Terry A. McKelvey whose telephone number is (703) 305-7213. The examiner can normally be reached on Monday through Friday, except for Wednesdays, from about 7:30 AM to about 6:00 PM. A phone message left at this number will be responded to as soon as possible (i.e., shortly after the examiner returns to his office). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Remy Yucel can be reached on (703) 305-1998. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.


TERRY MCKELVEY
PRIMARY EXAMINER